THE DRAFT SUMMARY OF THE MEETING OF THE HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE
July 11, 2013

1. **Summary of the June 6, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee**

   The Summary of the June 6, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

2. **Coastal Zone Management Update**

   Mr. Benjamin McFarlane, HRPDC, briefed the Committee on developments related to Coastal Zone Management Program grant projects. After discussing possible public access projects in Virginia Beach with city staff, HRPDC staff determined that there were no projects that would be viable in the upcoming fiscal year. HRPDC staff has developed two proposals for FY14 VCZMP grant projects:

   1) Developing a Native Plants Promotion Strategy for Hampton Roads
   2) Sea Level Rise Planning and Technical Assistance

   These proposals will be submitted to VCZMP by Friday, July 12.

   HRPDC staff will make a presentation on the current Section 309 project at the August Committee meeting.

3. **Coastal Resiliency Final Report**

   Mr. McFarlane presented the Coastal Resiliency Final Report to the Committee. The final draft has incorporated several minor changes based on local comments. HRPDC staff requested that the Committee recommend to the Commission that it approve the report for publication and distribution. The Committee voted unanimously, with two abstentions, to recommend approval of the report.

4. **Industrial Stormwater Comments**

   Ms. Jenny Tribo, HRPDC, gave a presentation to the Committee on the proposed 2014 General VPDES Permit for Industrial Stormwater. The current permit expires on June 30, 2014. The new permit will be a five-year permit and is based on EPA's 2008 Multi-Sector General Permit (MSGP). The new permit will also incorporate some provisions from the draft 2013 MSGP. The industrial permit authorizes stormwater runoff

discharges from 30 different industrial sectors. The public comment period for the permit is July 15 to September 13; there will be a public hearing on August 29, 2013.

Key changes in the proposed permit include:

- a registration statement
- simplified map requirements
- monitoring requirements
- special conditions for the Chesapeake Bay TMDL, local ordinance compliance, compliance with new stormwater criteria, and for notification of discharges through an MS4
- several changes to sector definitions and descriptions

Facilities whose primary activity is covered by a sector-specific SIC code will need coverage; "primary activity" is now defined in the regulations (including the definition for co-located activities). Certain activities such as vehicle washing and concrete products are regulated by separate VPDES permits regardless of the primary activity.

Mr. Bill Johnston, Virginia Beach, asked if construction activities are now part of the industrial stormwater permit. Those activities fall under the Construction General Permit.

Mr. LJ Hansen, Suffolk, asked if mulching and composting was considered storage or generation.

Ms. Fran Geissler, James City, asked if the regulation did not require flow numbers. Ms. Tribo stated that she believes the monitoring requirements now included flow measurements as part of the load calculations.

Ms. Connie Bennett, York, asked if the notification requirement applied to both direct and indirect charges through MS4s. Ms. Tribo stated that it probably applied to any discharge from the activity that entered an MS4 system.

The Committee voted unanimously to recommend to the Commission that they approve the comment letter and send it to DEQ.

5. **Flood Insurance Discussion**

Mr. McFarlane led a discussion with the Committee on various ongoing issues with property insurance, including flood insurance. Recently the Virginia Association of Counties established a task force to study issues with the availability and affordability of homeowners insurance in coastal Virginia localities. Anecdotal evidence indicates that several insurance companies have withdrawn or limited coverage in coastal areas or localities in Virginia. HRPDC staff attended a meeting of the task force as representatives of VAPDC. The Coastal PDCs have been asked to help coordinate the mapping of areas subject to these new conditions (generally, no policies within 2,500

feet or one mile of the shore, depending on the company) and to estimate the number and value of properties at risk. HRPDC staff is currently working on this effort and will update the Committee when more information is available.

HRPDC staff is also working on developing educational and outreach materials concerning changes to flood insurance maps and regulations. This will include both the ongoing FEMA Region III remapping of coastal flood areas and changes to the National Flood Insurance Program (NFIP) as a result of the Biggert-Waters Flood Insurance Reform Act of 2012.

Staff from several localities, including York and James City, suggested that assistance on explaining the map changes to residents would be useful. There is a regional CRS work group that could provide additional information. Other ideas included putting together educational materials or a regional public outreach effort.

HRPDC staff will send out an email to the Committee to identify interested individuals to help in this effort.

6. **Discussion on Committee Restructuring**

Ms. Whitney Katchmark, HRPDC, led a discussion with the Committee on restructuring the Committee's organization and procedures. HRPDC staff has developed, with help from a subcommittee composed of Committee members, draft guidelines to govern Committee actions, including:

- Renaming the Committee from the Joint Environmental Committee to the Regional Environmental Committee
- Specifically establishing membership in the Committee as two official representatives from each city and county in the region, as well as the Towns of Smithfield and Windsor, and HRPDC staff (HRPDC staff will not vote but will chair the meetings). There are also provisions for non-voting members from regional, state, and federal entities.
- Defining the purpose of Committee
- New guidelines for roles, public notices, agendas, decision-making, voting, budget planning, and meeting participation

The proposed guidelines were sent out to the Committee with the agenda package.

Mr. Joe Du Rant, Newport News, stated that a roll call vote should be necessary for any recommendation to the Commission, and that a "sense of the Committee" or similar unofficial consensus would not suffice. The Committee discussion resulted in a recommendation to require a vote, either roll call or voice, on official actions, such as recommendations to the Commission.

The Committee extensively discussed the membership provisions in the guidelines, and whether there should be different levels of and terms for partners, stakeholders, non-

voting members, etc. Based on the discussion, the consensus appeared to be that there should be three classifications:

1) Voting members (local government staff)
2) Non-voting members, including
    a. Regional agencies such as HRSD
    b. Federal agencies and entities such as NAVFAC or representatives from military installations and/or commands
    c. State agencies such as DCR, DEQ, and VDOT
3) The general public, which includes NGOs

In general, public comments will be restricted to a set place in the agenda, and will be restricted to items on the agenda. However, non-members can be invited to participate in discussions at the discretion of the chair.

Based on the results of the discussion, HRPDC staff suggested that the guidelines be modified and brought back to the Committee in August for more discussion and consideration.

7. **Status Reports**

Ms. Jenny Tribo, HRPDC, asked if there were any objections to cancelling the July Stormwater meeting and holding it instead in August. There were no objections. Ms. Erin Rountree, Suffolk, asked if a Phase II meeting could be held in August as well. The meeting will be held August 21.

Mr. Brian Swets, Chesapeake, announced that the City of Chesapeake will be hiring a senior long-range planner and that the position will be advertised soon.

Ms. Beth Lewis, Southampton, announced that Franklin and Southampton will now be sharing a combined Community Development Department. The department will be advertising for a stormwater inspector and a stormwater reviewer.

8. **Other Matters**

The next meeting of the Joint Environmental Committee is scheduled for August 1, 2013 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.